IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25764 of 2008
AKLESH KUMAR @ AKLESH SINGH
Versus
STATE OF BIHAR
---

For the petitioner: Mr. Sachidnand Choudhary
For the State : Mr. Ram Bachan Singh, A.P.P.

4 19.8.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is an accused in a case registered under sections 302/201 of the Indian Penal Code.

First information report is against unknown persons.

WEB COPY NOT OFFICIAL

Learned counsel for the petitioner submits that dead body was found having gun shot injury on the head.It is submitted that the petitioner has been apprehended merely on the basis of suspicion and nothing has been found against him except the statement of Shushila Devi wife of the deceased whose statement has been recorded under section 164 Cr.P.C which is annexure-2. Learned counsel submits that from plain reading of annexure-2 it will appear that there was allegation of some quarrel between the petitioner and the deceased. There is nothing except suspicion of wife of the deceased. Learned counsel further submits that antecedent

of the petitioner is clean and he is in jail custody since 16.2.2008. It is further submitted it is alleged that some persons named in the statement made under section 164 Cr.P.C. have stated that the petitioner has hired some body for killing of the deceased.

Learned counsel for the State submits that the wife of the deceased has stated in her statement recorded under section 164 Cr.P.C. that there was some quarrel between the petitioner and the deceased and she has come to know from others that petitioner has hired some body to kill him but he admits that her statement in this regard is based on hearsay.

WEB COPY NOT OFFICIAL

In the facts and circumstances of the case and having regard to the submission made by the parties, I direct that petitioner Aklesh Kumar @ Aklesh Singh be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of A.C.J.M, patnacity in Khajekalan P.S. Case No. 8 of 2008 subject to the conditions that one of the bailors must be family member of the petitioner.

**(Dr. Ravi Ranjan, J)**

**Rahman/**

WEB COPY
NOT OFFICIAL